

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

**UNITED STATES OF AMERICA**

**v.**

**Criminal No. 2:09-00137**

**JOSEPH CLEVELAND FERRELL  
MARK ANTHONY CANTRELL  
SOUTHERN AMUSEMENT CO., INC.**

**DEFENDANTS' MOTION TO CONTINUE PRE-SENTENCING  
REPORT DEADLINES AND SENTENCING HEARING**

Defendant Joseph Cleveland Ferrell, by counsel, respectfully moves the Court to continue the presentencing deadlines and Sentencing Hearing contained in the Court's October 12, 2010 Order.

Having spoken with the Probation Officer and the Government, Mr. Ferrell by counsel respectfully requests an extension of 6 weeks, in this matter, additional time is needed for the parties to fully assemble the information required by the Probation Office and to allow the Probation Office sufficient time to prepare its report.

Defendant represents that the United States does not oppose this request.

**Respectfully submitted,  
Joseph Cleveland Ferrell**

**By Counsel,**

/s/ Benjamin L. Bailey  
Benjamin L. Bailey (WV Bar ID # 200)  
Christopher S. Morris (WV Bar ID # 8004)  
Bailey & Glasser, LLP  
209 Capitol Street  
Charleston, West Virginia 25301  
(304) 345-6555  
(304) 342-1110 *facsimile*  
*Counsel for Joseph Cleveland Ferrell*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
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**v.**

**CRIMINAL NO. 2:09-00137**

**JOSEPH CLEVELAND FERRELL  
MARK ANTHONY CANTRELL  
SOUTHERN AMUSEMENT CO., INC.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies the “**DEFENDANTS’ MOTION TO CONTINUE PRE-SENTENCING REPORT DEADLINES AND SENTENCING HEARING**” was served upon counsel of record, via the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following counsel of record on this 24<sup>th</sup> day of November, 2010:

Hunter P. Smith, Jr., Esq.  
Assistant U. S. Attorney  
4000 United States Courthouse  
300 Virginia Street, East  
Charleston, West Virginia 25301

/s/ Benjamin L. Bailey  
Benjamin L. Bailey (WV Bar ID # 200)